



Order Filed on December 19, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Brian E. Caine, Esq.
PARKER McCAY P.A.
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, New Jersey 08054
(856) 985-4059
Attorney for Deutsche Bank National Trust Company,
as certificate trustee on behalf of Bosco Credit II Trust
Series 2010-1, its successors and/or assigns

In Re:

Marie Claire Coulanges

CASE NO. 19-16501-JKS
Chapter: 13
Hearing: December 8, 2022
Judge: John K. Sherwood

**ORDER RESOLVING
DEBTOR'S MOTION TO REINSTATE THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: December 19, 2022



Honorable John K. Sherwood
United States Bankruptcy Court

(Page 2)

Debtor: Marie Claire Coulanges

Case No: 19-16501-JKS

Caption of Order: Order Resolving Debtor's Motion to Reinstate the Automatic Stay

Upon consideration of the Debtor's motion to reinstate the automatic stay as to 30 42nd Street, Irvington NJ 07111 ("Subject Property") (filed at docket number 72), and the opposition filed by Deutsche Bank National Trust Company, as certificate trustee on behalf of Bosco Credit II Trust Series 2010-1 ("Secured Creditor") (at docket number 74), and

Upon the hearing before this Court on December 8, 2022, and

The Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. The September 12, 2022 Order Vacating Stay as to the Subject Property (filed at docket number 63) is hereby **VACATED**.

2. Pursuant to the motion for relief from stay (filed at docket number 62), the post-petition arrears with respect to mortgage payments directly due to Secured Creditor was \$6,882.16 as of June 2, 2022 [which represented 15 payments of \$490.41 (April 1, 2021 to June 1, 2022) with a suspense balance of \$473.99]. Additionally, there was a tax advance made on behalf of the Debtor in the amount of \$7,856.68. The total amount of default/delinquency in said motion was \$14,738.84 as of June 2, 2022.

3. Thereafter, since June 2, 2022, six (6) post-petition payments of \$490.41 each became due July 1, 2022, August 1, 2022, September 1, 2022, October 1, 2022, November 1, 2022 and December 1, 2022 [\$2,942.46 = 6 x \$490.41]; bringing the total amount of post-petition default/delinquency to \$17,681.30 as of December 8, 2022.

4. The Debtor shall cure the aforesaid \$17,681.30 as follows:

A. \$14,738.84 (as mentioned in ¶2) through the chapter 13 plan, and the Trustee shall add same as a separate administrative claim to be paid to Secured Creditor. In accordance with section 1322(b)(5) and the Debtor's Chapter 13 Plan of Reorganization, Secured Creditor shall apply this amount to the post-petition arrears and not to prepetition arrears.

(Page 3)

Debtor: Marie Claire Coulanges

Case No: 19-16501-JKS

Caption of Order: Order Resolving Debtor's Motion to Reinstate the Automatic Stay

B. Debtor shall immediately make a payment to Secured Creditor in the amount of \$2,942.46 (6 payments of \$490.41 for July 1, 2022 to December 1, 2022). In accordance with section 1322(b)(5) and the Debtor's Chapter 13 Plan of Reorganization, Secured Creditor shall apply this amount to the post-petition arrears and not to prepetition arrears.

5. Commencing with the January 1, 2023 regular monthly post-petition mortgage payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Secured Creditor as same come due.

6. The Debtor shall stay current with plan payment to the Chapter 13 Trustee.

7. The Debtor shall stay current with property taxes owed directly to the Township of Irvington.

8. The Debtor shall maintain insurance on the Subject Property.

9. **Default Clause:** If the Debtor should default and fail to make the payments and/or not fulfill the obligations set forth in paragraphs 4(B), 5, 6, 7 or 8 herein, then upon Certification of Default herewith submitted by Secured Creditor's counsel, and under the timeframe providing for any opposition filed under LBR 4001-1(b)(2), the Court may enter a General Relief Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to the Subject Property.

10. If a certification of default is filed in accordance with paragraph 9, above, Secured Creditor may request the Court to hear the matter on shortened time.

11. Debtor shall reimburse Movant through their Chapter 13 Plan of Reorganization, as an administrative claim, the sum of \$738.00 for attorney's fees (\$550) and costs (\$188) incurred by Secured Creditor for its motion for relief from stay.

In re:
Marie Claire Coulanges
Debtor

Case No. 19-16501-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 19, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 21, 2022:

Recip ID	Recipient Name and Address
db	+ Marie Claire Coulanges, 32 42nd Street, Irvington, NJ 07111-1254

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 21, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 19, 2022 at the address(es) listed below:

Name	Email Address
Andy Winchell	on behalf of Debtor Marie Claire Coulanges andy@winchlaw.com awinchellecf@gmail.com;katharine@winchlaw.com;winchellar94173@notify.bestcase.com
Brian E Caine	on behalf of Creditor Deutsche Bank National Trust Company as certificate trustee on behalf of Bosco Credit II Trust Series 2010-1 bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin Gordon McDonald	on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Dec 19, 2022

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6